GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:337
ANSWERED ON:26.07.2005
ARMED FORCES (SPECIAL POWERS) ACT
Chandrappan Shri C.K.;Patel Shri Kishanbhai Vestabhai;Reddy Shri Suravaram Sudhakar;Singh Shri Sugrib

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a Committee was set up to review the Armed Forces (Special Powers) Act;

(b) if so, the composition and terms of reference thereof and the circumstances leading to its constitution;

(c) whether the main Committee has since submitted its report;

(d) if so, the main observations and recommendations thereof; and

(e) the action so far taken by the Government thereon?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY)

(a): Yes, Sir.

(b): The Committee to review the provisions of the Armed Forces (Special Powers) Act, 1958 was headed by Justice Shri B.P. Jeevan Reddy. The other Members were:

(1) Dr. S.B. Nakade, former Vice-Chancellor and Jurist,

(2) Shri P.P. Shrivastav, former Special Secretary, Ministry of Home Affairs;

(3) Lt. Gen (Retd.) V.R. Raghavan, former Director General Military Operation

(4) Shri Sanjoy Hazarika, journalist

The terms of reference of the Committee were as follows:

(i) To amend the provisions of the Act to bring them in consonance with the obligations of the Government towards protection of Human Rights; or

(ii) To replace the Act by a more humane Act, or

(iii) To recommend such other legislative measure as may be found, appropriate.

Committee was set up following demands made by the general public and the civil groups for the review of the provisions of the Armed Forces (Special Powers) Act, 1958.

(c): Yes, Sir.

(d)&(e): The recommendations of the Committee are being considered by different Ministries concerned with the subject.